

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 9/7/10
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VRASTON TRADING, INC.,	:	08 Civ. 7500 (SHS)
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Plaintiff,	:
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-against-	:	<u>ORDER</u>
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THE NASDAQ OMX GROUP, INC.,	:
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Defendant.	:
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VRASTON TRADING, INC.,	:	08 Civ. 7501 (SHS)
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Plaintiff,	:
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-against-	:
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STATE STREET CORPORATION,	:
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Defendant.	:
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VRASTON TRADING, INC.,	:	08 Civ. 7502 (SHS)
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Plaintiff,	:
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-against-	:
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NYSE EURONEXT, INC.,	:
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Defendant.	:
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VRASTON TRADING, INC.,	:	08 Civ. 7503 (SHS)
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Plaintiff,	:
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-against-	:
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THE DEPOSITORY TRUST & CLEARING CORP.,	:
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Defendant.	:
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SIDNEY H. STEIN, U.S. District Judge.

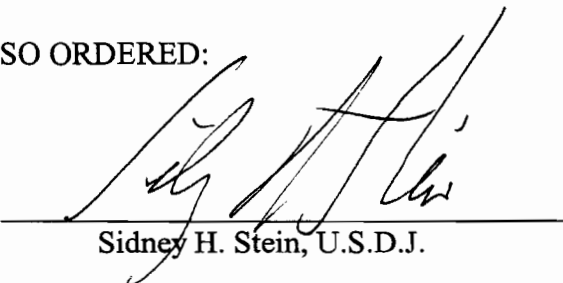
On consent of the parties by Order dated February 17, 2009, this Court directed that "In the event that the U.S. Supreme Court denies certiorari in In re Bilski, No. 08-833, 892 [545 F. 3d 943] (Fed. Cir. 2008) (*en banc*) or accepts that case and affirms, plaintiff will provide a stipulation of dismissal in this case." The U.S. Supreme Court did grant certiorari and, on June 28, 2010 it affirmed the Federal Circuit's holding in Bilski.

All defendants have now moved to dismiss the complaints in these actions on the basis of the agreed upon Order of February 17, 2009. Vraston Trading, Inc. has not opposed that motion. See, Response to Defendant's Motion and Memorandum to Enforce Stipulated Order and Dismissal of Complaints dated August 10, 2010. Accordingly,

IT IS HEREBY ORDERED that defendants' motions to dismiss the complaints in these actions are granted with prejudice for failure to state a claim.

Dated: New York, New York
September 7, 2010

SO ORDERED:



Sidney H. Stein, U.S.D.J.